



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We make Indiana a cleaner, healthier place to live.

Joseph E. Kernan
Governor

Lori F. Kaplan
Commissioner

September 16, 2004

Northwest Regional Office
8315 Virginia Street, Suite 1
Merrillville, Indiana 46410-9201
(219) 757-0265
(888) 209-8892 Toll Free
(219) 757-0267 Fax
www.IN.gov/idem

VIA CERTIFIED MAIL 7002 0510 0004 0439 9112

Mr. Tim Brown, Cedar Lake Town Administrator
Town of Cedar Lake
7408 Constitution Avenue
P.O. Box 707
Cedar Lake, IN 46303

Re: **Inspection Summary/Violation Letter**
Town of Cedar Lake
Cedar Lake, Lake County

Dear Mr. Brown:

On July 7 and July 9, 2004, a representative of the Indiana Department of Environmental Management, Northwest Regional Office, conducted a complaint investigation of the intersection of 149th Street and Reeder Road, located at Cedar Lake, Indiana. This investigation was conducted pursuant to IC 13-14-2-2. For your information, and in accordance with IC 13-14-5, a summary of the inspection is provided below:

Type of Inspection: X Complaint Investigation

Results of Inspection: Violations were observed but corrected during the inspection.
 X Violations were observed.
 Violations were observed and will be referred to the Office of Enforcement.

Over the course of the investigation, it was noted that the Town of Cedar Lake failed to notify the Spill line concerning a spill to the waters of the state. This is a violation of 327 IAC 2-6.1-7.

Within thirty (30) days of receipt of this letter, a written detailed explanation, documenting compliance with each of the requirements listed above, must be submitted to this office. Failure to respond adequately to this Violation Letter may result in a referral to IDEM's Office of Enforcement. Please direct any response to this letter and any questions to Nick Ream at (219) 575-0265. Thank you for your attention to this matter.

Sincerely,

Rick Roudebush, Inspections Section Chief
Compliance Branch
Office of Water Quality



NPDES FACILITY VERIFICATION OF INSPECTION

State Form 47989(R3/12-02)

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

REVISED 7/7/04

Facility and Inspection Information			
NPDES Permit #: <u>NA</u>	Facility Type Code: <input type="checkbox"/> 1 = Municipality <input type="checkbox"/> 2 = Industry/Semi-Public <input type="checkbox"/> 3 = Agricultural <input type="checkbox"/> 4 = State/Federal <input type="checkbox"/> Major <input type="checkbox"/> Minor		
This is to verify that on <u>07/09/04</u> (MM/DD/YY) an inspection of the specified facility was conducted by the undersigned representative of the Indiana Department of Environmental Management, Office of Water Quality.			
TYPE OF INSPECTION: <input type="checkbox"/> Compliance Evaluation Inspection (C) <input type="checkbox"/> Multimedia Screening Evaluation (M) <input type="checkbox"/> Reconnaissance Inspection (R) <input type="checkbox"/> Combined Sewer Overflow Inspection (Y) <input type="checkbox"/> Industrial User Inspection (I) <input type="checkbox"/> Compliance Sampling Inspection (S) <input type="checkbox"/> Sanitary Sewer Overflow (V) <input checked="" type="checkbox"/> Other <u>COMPLAINT INVESTIGATION(S)</u>			
Name and Location of Facility Inspected: <u>INTERSECTION OF REEDER ST. AND 14900 AVE</u>		Receiving Waters/POTW: <u>NA</u> <u>CEDAR CREEK</u>	Permit Expiration Date: <u>NA</u>
Town/City: <u>CECILIA</u> County: <u>LAKE</u>		Title(s): <u>PUB. WORKS DIR</u> <u>TOWN ADMIN.</u>	Phone: () Fax: () Phone: () Fax: ()
Name(s) of On-Site Representatives: <u>BILL MALACHUK</u> <u>TIM BROWN</u>	Certified Operator: <u>NA</u>	Number: <u>NA</u> Renewal Effective Date: <u>NA</u>	Class: <u>NA</u> Expiration Date: <u>NA</u> Hours per Week: <u>NA</u> <input type="checkbox"/> Full Time <input type="checkbox"/> Part Time
Name and Address of Responsible Official: <u>TIM BROWN</u> <u>7400 CONSTITUTION AVENUE</u> <u>P.O. BOX 707</u> <u>CECILIA LAKE IN 46303</u>		Title: <u>TOWN ADMIN.</u> Contacted: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Phone: <u>(219) 374-4462</u> Fax: () Facility Design Flow: <u>NA</u>
Areas Evaluated During Inspection (S = Satisfactory, M = Marginal, U = Unsatisfactory, N = Not Evaluated, NA = Not Applicable)			
<input checked="" type="checkbox"/> Receiving Waters Appearance	<input checked="" type="checkbox"/> Facility/Site	<input checked="" type="checkbox"/> Self-Monitoring Program	<input checked="" type="checkbox"/> Compliance Schedules
<input checked="" type="checkbox"/> Effluent Appearance	<input checked="" type="checkbox"/> Operation	<input checked="" type="checkbox"/> Flow Measurement	<input checked="" type="checkbox"/> Pretreatment
<input checked="" type="checkbox"/> Permit	<input checked="" type="checkbox"/> Maintenance	<input checked="" type="checkbox"/> Laboratory	<input checked="" type="checkbox"/> Effluent Limits Violations
<input checked="" type="checkbox"/> CSO/SSO (Sewer Overflow)	<input checked="" type="checkbox"/> Sludge Disposal	<input checked="" type="checkbox"/> Records/Reports (1)	<input checked="" type="checkbox"/> Other:
Preliminary Inspection/Screening Findings*			
*These findings are considered preliminary and include specific matters discovered during the inspection that the designated agent of the department believes may be a violation of law or a permit issued by the department.			
Single Media Inspection: <input type="checkbox"/> No violations were discovered with respect to the particular items observed during the inspection. (5) <input type="checkbox"/> Potential violations were discovered but corrected during the inspection. (4) <input checked="" type="checkbox"/> Potential violations were discovered and require a submittal and/or follow-up inspection. (2) <input type="checkbox"/> Potential violations were observed and may be referred to our Office of Enforcement. (1) <input type="checkbox"/> Additional information/review is required to evaluate overall compliance. <input type="checkbox"/> Other: (3)			
Comments Regarding Marginal and Unsatisfactory Ratings - Including Rule or Permit Citation(s): <u>① THE TOWN BECAME AWARE OF A LEAK IN A FORCE MAIN AT REEDER ST. AND 14900 AVE. ON 7/6/04 AND MADE CORRECTIONS ON THE SAME DAY. OWQ-IDEM-COMPLIANCE SECTION WAS PROPERLY NOTIFIED, BUT THE SEWAGE REACHED THE WATERS OF THE STATE AND THE IDEM SPILLLINE WAS NOT NOTIFIED. THIS IS A VIOLATION OF 327 IAC 2-6.1-7 AT THE TIME OF THE INVESTIGATION, THE REPAIRS WERE COMPLETED AND NO OVERFLOW IS OCCURRING. IT WAS CONFIRMED THAT THE OVERFLOW REACHED CEDAR CREEK.</u>			

Additional Comments Regarding Marginal and Unsatisfactory Ratings - Including Rule or Permit Citation(s):

Conclusions and Recommendations:

IF A SPILL REACHES THE WATER OF THE STATE, CALL 1-888-233-7745.

A SPILL WAS LOCATED AND REPAIRED, THOUGH IT IS UNKNOWN HOW LONG THE WINCH FORCE MAIN CRACK WAS LEAKING.

Multi-Media Screening (please note that a multi-media screening is not a comprehensive evaluation of the compliance status of the facility):

- ☒ Multi-Media Screening not conducted.
- ☐ Potential problems or potential violations were discovered but corrected during the inspection.
- ☐ Potential problems or potential violations were discovered and will be referred to the Office(s) of _____ for further investigation and response.

Pollution Prevention

Pollution prevention is the preferred means of environmental protection in Indiana. The goal of pollution prevention is to promote changes in business and commercial operation, especially manufacturing processes, so that less environmental wastes are generated. Your participation in Indiana's pollution prevention program is entirely voluntary. Would your company like to be contacted by IDEM's Office of Pollution Prevention and Technical Assistance?

☐ Yes ☒ No

If you have any pollution prevention questions, you may contact our Office of Pollution Prevention and Technical Assistance at (317) 233-5627 or toll-free (800) 988-7901 or visit their Web site at <http://www.in.gov/idem/oppta>.

Summary and Correction Information

A summary of violations and concerns noted during the inspection were verbally communicated to the undersigned representative during the inspection. The facility should correct any deficiencies noted as soon as possible. Corrections made and verified during the inspection may still be cited as violations.

☐ Written inspection summary will be provided within 45 days.

☒ Written report provided at the conclusion of the inspection.

If upon subsequent review, any changes to this report are deemed necessary, a revised report will be sent to the subject facility within 45 days.

IDEM Representative:

Printed Name	Signature	Phone Number	Date	Time
NICHOLAS K. BEAM	<i>Nicholas K. Beam</i>	(219) 757-0245	7/9/04	In: 0800 Out: 0915

Owner/Agent Representative/Title:

Printed Name	Signature	Title	Phone Number	Date
Timothy A. Brown	<i>Timothy A. Brown</i>	Town Manager	(219) 374-7000	7-9-04

For IDEM Internal Use:

Section Chief or Regional Deputy Director:	Date:	For:
<i>Rick Rondelush</i>	9/15/04	<input type="checkbox"/> Follow-up <input type="checkbox"/> NPDES Permits <input type="checkbox"/> Enforcement <input type="checkbox"/> Other



NPDES FACILITY VERIFICATION OF INSPECTION

State Form 47989(R3/12-02)

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Facility and Inspection Information

NPDES Permit #: <u>NA</u>	Facility Type Code: <input type="checkbox"/> 1 = Municipality <input type="checkbox"/> 2 = Industry/Semi-Public <input type="checkbox"/> 3 = Agricultural <input type="checkbox"/> 4 = State/Federal <input type="checkbox"/> Major <input type="checkbox"/> Minor
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This is to verify that on 07/09/04 (MM/DD/YY) an inspection of the specified facility was conducted by the undersigned representative of the Indiana Department of Environmental Management, Office of Water Quality.

TYPE OF INSPECTION:

- | | |
|---|--|
| <input type="checkbox"/> Compliance Evaluation Inspection (C) | <input type="checkbox"/> Multimedia Screening Evaluation (M) |
| <input type="checkbox"/> Reconnaissance Inspection (R) | <input type="checkbox"/> Combined Sewer Overflow Inspection (Y) |
| <input type="checkbox"/> Industrial User Inspection (I) | <input type="checkbox"/> Compliance Sampling Inspection (S) |
| <input type="checkbox"/> Sanitary Sewer Overflow (V) | <input checked="" type="checkbox"/> Other <u>COMPLAINT INVESTIGATION</u> |

Name and Location of Facility Inspected: <u>INTERSECTION OF REEDER ST. AND 149th AVE</u>	Receiving Waters/POTW: <u>NA</u>	Permit Expiration Date: <u>NA</u>
Town/City: <u>CEDAR LAKE</u> County: <u>LAKE</u>		

Name(s) of On-Site Representatives: <u>BILL MALACHUK</u> <u>TIM BROWN</u>	Title(s): <u>PUB. WORKS DIR.</u> <u>TOWN ADMIN</u>	Phone: () Fax: () Phone: () Fax: ()
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Certified Operator: <u>NA</u>	Number: <u>NA</u>	Class: <u>NA</u>	<input type="checkbox"/> Full Time <input type="checkbox"/> Part Time
	Renewal Effective Date: <u>NA</u>	Expiration Date: <u>NA</u>	Hours per Week: <u>NA</u>

Name and Address of Responsible Official: <u>TIM BROWN</u>	Title: <u>TOWN ADMIN</u>	Phone: <u>(219) 374-2462</u> Fax: ()
	Contacted: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Facility Design Flow: <u>NA</u>

Areas Evaluated During Inspection

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<input checked="" type="checkbox"/> Receiving Waters Appearance	<input checked="" type="checkbox"/> Facility/Site	<input checked="" type="checkbox"/> Self-Monitoring Program	<input checked="" type="checkbox"/> Compliance Schedules
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Preliminary Inspection/Screening Findings*

*These findings are considered preliminary and include specific matters discovered during the inspection that the designated agent of the department believes may be a violation of law or a permit issued by the department.

Single Media Inspection:

- ☐ No violations were discovered with respect to the particular items observed during the inspection. (5)
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☐ Potential violations were discovered and require a submittal and/or follow-up inspection. (2)
☐ Potential violations were observed and may be referred to our Office of Enforcement. (1)
☒ Additional information/review is required to evaluate overall compliance.
☐ Other _____ (3)

Comments Regarding Marginal and Unsatisfactory Ratings – Including Rule or Permit Citation(s):

Additional Comments Regarding Marginal and Unsatisfactory Ratings – Including Rule or Permit Citation(s) :

Conclusions and Recommendations:

Multi-Media Screening (please note that a multi-media screening is not a comprehensive evaluation of the compliance status of the facility):

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IDEM Representative:

Printed Name	Signature	Phone Number	Date	Time
NICHOLAS K. REAM	Nich K Ream	(219) 757-0265	7/7/04	In: 10:15 Out: 16:30

Owner/Agent Representative/Title:

Printed Name	Signature	Phone No.	Phone Number title	Date
Timothy A. Brown	Timothy A. Brown	(919) 374-7000	Town Manager	7-9-04

For IDEM Internal Use:

Section Chief or Regional Deputy Director:	Date:	For:
		<input type="checkbox"/> Follow-up <input type="checkbox"/> Enforcement <input type="checkbox"/> NPDES Permits <input type="checkbox"/> Other

IDEM	OFFICE OF WATER MANAGEMENT Complaint Investigation Report	PAGE ____ OF ____ (Complaint: <u>2</u> OF <u>2</u>)
	Findings of Investigation	
Name(s) of individual(s) contacted:	Title(s):	Phone: () Fax: ()
		Phone: () Fax: ()
		Phone: () Fax: ()
Nature of problem found during investigation: 		
Samples taken? <input type="checkbox"/> Yes <input type="checkbox"/> No	Pictures taken? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Is condition a State Water Quality Violation? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Does facility discharge wastewater without a valid NPDES permit? <input type="checkbox"/> Yes <input type="checkbox"/> No (Permit #: _____)		
Does facility need an NPDES permit? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Comments: 		
Name(s) and Signature(s) of Inspector(s):	Date:	Office/Telephone:

From: CAROL NEWHOUSE
To: NICHOLAS REAM
Date: 7/9/04 3:15PM
Subject: Algal sample

Hello, Nick

Upon microscopic examination, the ditch water sample you sent down from above Lake Dalecarlia appears to be almost entirely made up of *Microcystis* sp. *Microcystis* is a blue-green algae, that is native to Indiana. Under the proper conditions it can occur in bloom proportions such as you described over the phone. It can produce toxins at times which are irritating, but fortunately(?) most people won't be tempted to come in contact with water that's filled with such scum. Hopefully, the conditions will change soon and the bloom will pass on with little ill effect on the lake or on fish life in the ditch, etc.

FYI - the following photos are available online at a Purdue website.

Bloom on the water: <http://www-cyanosite.bio.purdue.edu/images/lgimages/microcy6.jpg>

Bloom up close: <http://www-cyanosite.bio.purdue.edu/images/lgimages/microcy5.jpg>

Under the microscope: <http://www-cyanosite.bio.purdue.edu/images/lgimages/microcy3.jpg>

Hope this identification helps you. And hope the folks in Lake County are successful in working to reduce the number of occurrences of such blooms in the future, if that is their goal. If they'd like any literature along these lines, let me know. I'll send you what I can.

Take care,

Carol M. Newhouse, Lakes Coordinator (65-40-2)
Biological Studies Section
Office of Water Quality
Indiana Dept. of Environmental Mgmt.
P.O. Box 6015
Indianapolis, IN 46206-6015

phone: 317/308-3217
fax: 317/308-3219
cnewhous@dem.state.in.us

CC: DOREL HUNT; LEE BRIDGES; MAX MICHAEL; STEVE NEWHOUSE